

# Notice of Allowability

Application No.

09/830,523

Examiner

Jerry A Lorengo

Applicant(s)

BERARD, RAYMOND A.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37, CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments and argumnets submitted after-final.
2. ☒ The allowed claim(s) is/are 2-15.
3. ☒ The drawings filed on 26 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### DETAILED ACTION

(1)

#### *Allowable Subject Matter*

Claims 2-15 have been found to be allowable over the prior art of record.

(2)

The following is an examiner's statement of reasons for allowance:

Methods for the separation of structural components from floor coverings through contact of a comminuted or cut floor covering material with an extraction agent under heat, such as that disclosed by U.S. Patent No. 5,840,773 to Blooij et al., are known in the art. It is also known, such as disclosed by U.S. Patent No. 5,605,935 to Parrinello et al., to separate polyurethane components from a floor covering through heated contact with an organic polyol whereby the reverted polyurethane, now in the form of a polyol, may be collected and reused to form reconstituted polyurethane by the addition of a polyisocyanate thereto. Although floor coverings which utilize polyurethanes as a precoat and/or backing, such as taught by U.S. Patent No. 4,657,790 to Wing et al. and GB 1,552,626 to Bobe, are known, none of the prior art of record specifically teaches or suggests such a method, as set forth in applicant claims 6 and 8 and illustrated in applicant's Figure 2, wherein a floor covering, comprising a facecloth layer and a polyurethane backing layer, is contacted under heated conditions with an organic polyol such that the polyurethane is at least partially liquefied, whereby the backing layer can be separated from a facecloth layer and then contacted with polyisocyanate to reconstitute the separated backing layer. Although the prior art of record discloses that a backing layer may be separated from a facecloth after a polyurethane precoat disposed there between has been converted to a polyol by contact with an organic polyol under heated conditions, none of the prior art of record specifically teaches or suggests the process contemplated by applicant claims 8-15 which require the organic polyol to be applied onto the facecloth layer followed by the pulling of the facecloth away from the backing layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

(3)

***Response to Amendments and Arguments***

The amendments and arguments filed after-final on July 16, 2004 are acknowledged and have been entered. In response to the cancellation of rejected claim 1 and the amendment of claims 2-5 and 7 to depend from allowed claims 6, claims 2-15 have been passed to issue as set forth and explained in sections (1) and (2), above.

(4)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry A Lorengo whose telephone number is (571) 272-1233. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
J.A. Lorengo, Primary Examiner

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July 27, 2004